

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

OREGON LABORERS-EMPLOYERS  
HEALTH & WELFARE TRUST FUND,  
OREGON LABORERS-EMPLOYERS PENSION  
TRUST FUND, OREGON & SOUTHERN IDAHO  
LABORERS-EMPLOYERS TRAINING  
TRUST FUND, OREGON LABORERS-EMPLOYERS  
ADMINISTRATIVE FUND, LLC, OREGON  
LABORERS DEFINED CONTRIBUTION  
FUND,

Plaintiffs,

v.

EMERICK CONSTRUCTION COMPANY,  
an Oregon business corporation

Defendant.

Case No. 3:25-cv-00543-AB

ORDER

**BAGGIO, District Judge:**

The Court entered a Clerk's Entry of Default (ECF 6) in this matter on May 22, 2025. Now before the Court are Plaintiffs' motions for judgment (ECF 7) and attorney's fees (ECF 10) and Plaintiff's bill of costs (ECF 12). The Court has carefully reviewed the applicable law, the record and the declarations of Trust Auditor/Coordinator for the Oregon Laborers-Employers Trust Funds Tina Held (ECF 9) and Plaintiffs' attorney Charles D. Colett (ECF 8 and 11) and grants the motions and taxes costs for the reasons described below.

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The Court finds that it is appropriate to enter judgment in Plaintiffs' favor and finds that the amounts sought are supported by the parties' agreement, the Trust agreement, and the relevant caselaw. *See* 29 U.S.C § 1132; Colett Declaration ("Colett Decl." ECF 8), Exhibits 1 and 2; and Held Declaration (ECF 9). Accordingly, the Court finds that entry of judgement against Defendant in the amount of \$18,914.54 for contributions due the Trust, liquidated damages calculated at the designated Trust rate, and interest is appropriate.

The Court finds that Plaintiffs are entitled to attorney's fees, as sought in their Complaint, under 29 U.S.C § 1132 and the Trust agreement, *see* Colett Decl. (ECF 8), Exhibit 2, ¶ 4.03, and the Court finds that the attorney's fees sought by Plaintiffs are reasonable. *See Gonzalez v. City of Maplewood*, 729 F.3d 1196, 1202 (9th Cir. 2013); *see also* Colett Decl. (ECF 11), Exhibit 1. Accordingly, the Court awards Plaintiffs \$3,735 for their attorney's fees.

Finally, the Court directs the Clerk of the Court to tax costs against Defendant in the amount of \$480. *See* Fed. R. Civ. P. 54(d)(1).

### CONCLUSION

The Court GRANTS Plaintiff's motions (ECF 7 and 10). The Court will enter judgment against Defendant in the amount of \$18,914.54. The Court awards Plaintiffs' attorney's fees in the amount of \$3,735. The Court directs the Clerk of the Court to tax costs against Defendant in the amount of \$480. (ECF 12).

IT IS SO ORDERED.

DATED this 24<sup>th</sup> day of June 2025.

  
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AMY M. BAGGIO  
United States District Judge